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REPORT OF THE SECRETARY-GENERAL ON THE QUESTION OF HAITI

1. On 30 October 1993, the date on which the President of Haiti was to have returned to his country pursuant to paragraph 9 of the Governors Island Agreement (S/26063), the President of the Security Council made a statement (S/26668) on behalf of the members of the Council insisting on compliance with the Agreement, which remains in force as the only framework for the solution of the Haitian crisis. The Council supported the invitation by my Special Representative to the Haitian parties to meet on 5 November and requested that I report urgently to it. This report is submitted pursuant to that statement.

2. The Council will recall that in my report dated 13 October 1993 (S/26573) I had indicated that the incidents of 11 October, which had prevented the deployment of military personnel of the United Nations Mission in Haiti (UNMIH), had been the culmination of a situation characterized by the repeatedly observed refusal on the part of the Haitian authorities to facilitate the operation of UNMIH, follow the instructions of the constitutional Government and put an end to the violence perpetrated by armed civilians with the complicity of the police.

3. On the basis of the report, the Council decided, by its resolution 873 (1993) to reimpose the sanctions set out in resolution 841 (1993) as of 2359 hours on 18 October 1993 unless the parties honoured their commitments. On 15 October President Aristide addressed a letter to the Secretary-General (S/26587) drawing attention to the assassination on 14 October of the Minister of Justice, Maître François-Guy Malary, and calling for all necessary measures to strengthen the provisions of resolution 873 (1993). On 16 October, by its resolution 875 (1993), the Council called upon Member States to use such measures as might be necessary to ensure strict implementation of the sanctions and, in particular to halt inward maritime shipping in order to inspect and verify their cargoes and destination. Since the attitude of the Haitian military did not change, the embargo entered into force on the date planned, under the surveillance of United States vessels, which were soon joined by Canadian, French, United Kingdom, Netherlands and Argentine vessels. The Organization of American States (OAS) reimposed its own economic sanctions that same day.

4. Following the departure of the Harlan County, which was celebrated as a victory by forces hostile to the restoration of the democratic process, the other members of UNMIH, those of the International Civilian Mission in Haiti (MICIVIH) and non-essential personnel of international agencies left Haiti.

Many foreign nationals acted likewise, while Haitians living in the capital attempted to flee to the countryside. The Special Representative remained at Port-au-Prince with a number of assistants.

5. On 23 October 1993, a "Crisis Committee" led by the President of the Chamber of Deputies and comprising parliamentarians opposed to President Aristide, proposed an eleven-point compromise calling, inter alia, for a simultaneous vote on the acts concerning the amnesty and the police, the expansion of the Government and the elaboration by the Government of a protocol governing the presence of international missions. On the same day, a meeting between the Prime Minister, Mr. Robert Malval, and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cédras, failed to produce an agreement.

6. On 25 October, the President of the Security Council made a statement on behalf of the members of the Council by which the Council reaffirmed, inter alia, the necessity of strict compliance with the Governors Island Agreement, failing which additional sanctions would be considered (S/26633).

7. On 26 and 27 October, the Parliament was unable to consider the acts concerning the police and the amnesty owing to the lack of a quorum. On 26 October, the Front national chrétien-démocrate (FNCD) parliamentary bloc, which supports President Aristide, offered its own eight-point compromise to end the crisis in Haiti.

8. On 28 October President Aristide addressed the General Assembly. In his statement he called for the departure of the military leaders and indicated that he would convene the parliament to vote on the bills on the police and the amnesty as soon as General Cédras, the members of the High Command and the General Staff, and Colonel Michel François and his allies had quit their posts. He asked the Prime Minister and the members of the Government not to resign. Lastly, he called for a complete and total blockade of Haiti (A/48/PV.41).

9. In a statement made to the press on my behalf on 29 October, the Special Representative expressed my regret that the timetable provided for in the Governors Island Agreement had not been respected, announced that resort to article 149 of the Haitian Constitution would compel me to recommend to the Security Council the strengthening of sanctions, and proposed that a meeting be held to discuss the implementation of paragraphs 5 to 9 of the Governors Island Agreement.

10. On that same day the Special Representative addressed letters of invitation for the 3rd and 4th of November to President Aristide and his Government, the President of the Chamber of Deputies, the President of the Senate and the Commander-in-Chief of Haiti's Armed Forces.

11. President Aristide replied to the Special Representative on 31 October, indicating that he was prepared to participate in the proposed meeting if it would lead at once to the departure of the military leaders, thereby facilitating the implementation of the other provisions of the Agreement. In a reply dated 1 November, General Cédras, for his part suggested that the Special Representative take a position on President Aristide's address to the General Assembly, which, General Cédras contended, repudiated the Governors Island Agreement; in addition, he called for clarifications of my proposals. Since the

letters required additional clarifications, a further exchange of correspondence took place, in which my Special Representative explained that the Agreement remained valid and that the sequence of events envisaged in the Agreement could not be modified unilaterally. The meeting was postponed to 5 and 6 November.

12. Present at the meeting which took place on 5 November at Port-au-Prince were the entire Government, assisted by two of President Aristide's advisers; the President of the Senate, accompanied by two FNCD senators; the President of the Chamber of Deputies, who is a member of the opposition, accompanied by two FNCD deputies and an opposition deputy; and the international community, with representatives of the four "Friends of the Secretary-General" and the United Nations. The seats reserved for the army remained empty. Three quarters of an hour after the start of the meeting, the Special Representative received a letter from the Commander-in-Chief, dated the preceding day's date, in which the latter criticized the fact that the meeting had been decided on and planned without any participation by the signatories of the Governors Island Agreement and the fact that internal security was being provided by foreign civilians. With the agreement of the participants, the Special Representative decided to adjourn the meeting. In a statement to the press, the Special Representative described as regrettable the absence of Haiti's armed forces, which were responsible for prolonging the crisis in Haiti and for the reimposition of sanctions; he pointed out that the Governors Island Agreement remained the basis for any settlement of the Haitian crisis and reaffirmed the determination of the international community to persevere in seeking a negotiated settlement in the context of the Agreement.